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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,623	11/13/2003	Christian Behrens	16104-009001 / 2003P00802	2446
32864	7590	05/05/2006	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			TIMBLIN, ROBERT M	
			ART UNIT	PAPER NUMBER
			2167	
DATE MAILED: 05/05/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,623	<b>Applicant(s)</b> BEHRENS ET AL.	
	<b>Examiner</b> Robert M. Timblin	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/23/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This Office Action corresponds to application 10/713,623 filed 11/13/2003.

Claims 1-23 have been entered and examined.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 9/02/2005 is being considered by the examiner.

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

Figure 2 is missing description for reference characters 208 and 240.

Figure 4 is missing description for reference characters 414, 416, 420, 424, 426, and 432.

Figure 5A is missing description for reference characters 542, 560, 564, 566, 568, 559, and 569.

Figure 5B is missing description for reference character 578.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the

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application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-22 are rejected under 35 U.S.C. 101 because they fail to mention or use of computer hardware recited in these claims. These claims are not statutory because they merely recite a number of computing steps without specifically performing the computing steps on computer hardware.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by **Cloud et al.** (Cloud hereinafter) (US Patent 5,634,127).

With respect to claims 1, 4, 10, 22 and 23 **Cloud** teaches a system comprising:

**'a user interface adapted to collect data from a user'** as can be seen in figure 4 (item 400).

**'business logic configured to process data collected by the user interface'** as a server connectivity layer works with a work flow management layer to permit connectivity to back end applications (col. 7 lines 50-56 and figures 4 and 6). **Cloud** teaches more on business logic with respect to server agents (col. 12 lines 25-31 and figure 6).

**'an intermediate layer interposed between the user interface and the business logic'** as a workflow management layer (col. 7 lines 45-56 and figures 4 and 6).

**'configured to rearrange data collected by the user interface into a format that is optimized for processing by the business logic'** as a request message from a client is translated (col. 3 lines 60-65). For example, **Cloud** teaches that a Client sends a sign-on request message. Then a Client Agent program is initiated and any data conversions or protocol specific logic is performed at this time (col. 12, line 66-col. 13 line 4).

With respect to claim 2, **Cloud** teaches **'the system is adapted to conduct a data flow between the user interface and the business logic through the intermediate layer'** as a description of work flow management (starting on col. 12, line32 and figure. 4)

With respect to claim 3, **Cloud** teaches **'the data flow is initiated by one or more actions of the user interface, wherein the one or more actions comprise any one of an opening of a user interface and an entering of data in the user interface'** as the workflow Manager is initiated by a request message which it receives as input (col. 9, lines 28-29)

With respect to claim 5, **Cloud** teaches **'the intermediate layer is configured to provide a buffering of data flow between the user interface and the business logic'** as messages from a client can be directed to a store and forward queue (col. 4 lines34-39). **Cloud** further teaches a message buffer (col. 19, lines 10-22).

**'the buffering of data flow enables the system to perform batch processing of a plurality of business processes'** as batch workflow object generation (col. 18, lines 52-57).

With respect to claim 7, **Cloud** teaches **'the intermediate layer is adapted to perform one or more operations on one or more objects to reduce an amount of business processes performed by the business logic, wherein the one or more operations on the one or more objects comprise collecting and formatting one or**

**more classes of objects** as defining and generating data definitions of all input and of different types (col. 10, lines 50-56).

With respect to claim 8, **Cloud** teaches **'an object model controller to associate the data from the user interface with an object, wherein the intermediate layer is adapted to receive the object from the object model controller'** as the process of building a workflow object. Within this process, message layouts contain field definitions for incoming and outgoing messages (col. 17 line 45 – col. 18 line 20 and figures 12-13).

With respect to claim 9, **Cloud** teaches **'the data requests comprise any one of a read data request, a modify data request, and an insert data request, and wherein the object model controller further comprises an object-oriented interface'** (figures 12-13).

With respect to claim 11, this claim contains essentially the same subject matter as that of claim 1 and therefore is rejected for the same reasons by **Cloud**.

With respect to claim 12, **Cloud** teaches **'processing any one of the data and instructions in the layer of business logic'** as a server processes the server request (col. 3 lines 64-67).

**'and sending any one of processed data and processed instructions from the layer of business logic to the user interface, wherein the sending of any one of processed data and processed instructions comprises passing the any one of processed data and processed instructions through the intermediate layer'** as the completed message is sent back to the client (col. 8 lines 60-67).

With respect to claim 13, **Cloud teaches 'associating an object with the data received in the user interface, wherein the intermediate layer is further adapted to perform one or more operations on the object'** as the process of building a workflow object (col. 17 line 45 – col. 18 line 20 and figures 12-13).

With respect to claim 14, **Cloud teaches 'the object model controller is configured to allow a user to prevent other users from modifying data until a save data instruction is received in the user interface'** as validating a session control request (col. 13, lines 5-22). Cloud teaches a save data instruction as a Save Request (col. 19 line 64-col. 20 line 35). Also within these paragraphs, Cloud notes that in browse mode, data values are not modifiable.

With respect to claim 15, **Cloud teaches 'the intermediate layer is adapted to perform the following operations: receiving an instruction from the object model controller; performing one or more operations relating to the received instruction; and issuing one or more instructions to the layer of business logic'** as the work



flow management layer mediates between the client connectivity layer and server connectivity layer performing the workflow management functions (col. 7, lines 30-36).

With respect to claim 16, **Cloud** teaches **'the intermediate layer determines whether the received instruction from the object model controller comprises any one of a known object, an unknown object, or a modification of a known object'** as updated field values are applied (col. 20, lines 20-30).

With respect to claim 17, **Cloud** teaches **'the intermediate layer is further adapted to perform any of the following operations: instructing the layer of business logic to approve previous instructions and data entries; instructing the layer of business logic to save data in a database; and initializing a framework to enable a user to perform data entry'** a save request (col. 19 lines 64-65 and the data stores of figures 9 and 12).

With respect to claim 18, **Cloud** teaches **'sending the data from the layer of business logic to a database'; and saving the data in the database upon receiving the data from the layer of business logic'** (fig. 12).

With respect to claim 19, **Cloud** teaches **'the intermediate layer is adapted to optimize one or more processes in the layer of business logic'** as taught in the rejection of claim 1.

**'the intermediate layer enables batch processing of data entered in the user interface'** as batch workflow object generation (col. 18, lines 52-57).

With respect to claim 20, **Cloud** teaches **'the intermediate layer maintains data entries and modifications among various object classes, and wherein the layer of business logic comprises common business functions and applications'** as applications at the business level (col. 2 lines 30-32).

With respect to claim 21, **Cloud** teaches **'one or more actions of the user interface comprise any one of an opening of the user interface and a data entry in the user interface'** as user of a common user interface when accessing a system of computers (col. 3 lines 42-45).

With respect to claims 22 and 23, the limitations of these claims are essentially the same as those of claims 1-21 above and therefore are rejected for the same reasons in view of **Cloud**.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2004/0068513 by **Carroll et al.** The subject matter disclosed therein is pertinent to that of claims 1-23 (i.e. an intermediate layer).

US 2004/0172459 A1 by **Schwalm et al.** The subject matter disclosed therein is pertinent to that of claims 1-23 (i.e. an intermediate layer).

US 6,678,672 by **Ramasamy et al.** The subject matter disclosed therein is pertinent to that of claims 1-23 (i.e. translating query code).

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Robert M. Timblin



Patent Examiner AU 2167

RMT

4/21/06



JOHN R. COTTINGHAM  
PRIMARY EXAMINER